

REMARKS

Reconsideration and allowance of this application is respectfully requested in light of the claim amendments above and the remarks that follow. By this Amendment, Applicant has amended claims 1, 8, 9, 11 and 13-21 and added claims 22 and 23. Claims 1, 8, 9, 11 and 13-21 are amended to clarify the claim language. Support for the changes to claim 1 may be found in the specification at, for example, page 5, lines 6-19. Support for subject matter recited in claim 22 may be found in pending claim 15. Support for the subject matter recited in claim 23 may be found in the specification at, for example, page 4, lines 15-34. Claims 1-23 are now pending.

Rejection Under 35 U.S.C. § 102(e)

Applicant traverses the rejection of claims 1-3, 5, 6, 8-11, 14, 15 and 18-21. under Section 102. In order to anticipate Applicant's claims under Section 102(e), each and every element of the claim in issue must be found, either expressly described or under the principles of inherency, in a single prior art reference. (See M.P.E.P. § 2131 (8th Ed., rev. Aug. 2006).) Further, the identical invention must be shown in as complete detail as contained in the claim. (*Id.*)

U.S. Patent Application Publication No. 2003/0039237 to *Forslow* ("*Forslow '237*") cannot support a rejection of claim 1 under Section 102(e) because the reference fails to disclose "a tunnel is established between the mobile terminal and the IP serving GPRS support node," as recited in Applicant's independent claim 1. *Forslow '237* discloses a mobile communications system that supports connections for both a circuit-switched network 35 and a packet-switched network 51. (*Forslow '237*, ¶ 0009; FIG. 2.) A mobile host 12 communicates over a radio interface with one or more base stations 32 located in a corresponding cell 30. (*Id.*) Base stations

32 are connected to a base station controller 34 which, in turn, is connected to a mobile switching center (MSC) 36 in the circuit-switched network, as well as a serving GPRS Support Node (SGSN) 50 in the packet-switched network 51. (*Id.*) Within packet-switched network 51, packets are "tunneled" between a serving GPRS support node (SGSN) 50 and gateway GPRS support node 54. (*Id.* at ¶ 0013.)

The Examiner apparently asserts that mobile host 12 and GPRS support node (SGSN) 50 correspond to Applicant's claimed "mobile terminal" and "IP serving GPRS support node," respectively. (Office Action, p. 2.) However, communications between mobile host 12 and serving GPRS support node (SGSN) 50 connect through base station controller 34. (*Forslow*, ¶ 0009.) There is no tunnel established between mobile host 12 and serving GPRS support node (SGSN) 50. *Forslow* '237 merely disclose tunneling between serving GPRS support node (SGSN) 50 and gateway GPRS support node 54 (*Id.* at ¶ 0013.) Accordingly, *Forslow* does not teach or suggest "a tunnel is established between the mobile terminal and the IP serving GPRS support node," as recited in Applicant's claim 1. Claim 1 is therefore allowable over *Forslow* '237. Claims 2, 3, 5 and 6 are also allowable at least due to their dependence from claim 1.

Independent claims 8, 14, 20 and 21, although of different scope than claim 1, recite subject matter similar to that recited in claim 1. Accordingly, claims 8, 14, 20 and 21 are allowable for reasons similar to those provided above with regard to claim 1. Claims 9, 11, 15 and 18 depend from claims 8 and 14 and are allowable at least due to their corresponding dependence from claims 8 and 14.

Rejections Under 35 U.S.C. § 103(a)

Applicant traverses the rejection of claims 4, 7, 12, 13, 16 and 17 under Section 103(a) as allegedly not being patentable over *Forslow '237* in view of U.S. Patent No. 6,937,566 to *Forslow* ("*Forslow '566*"), U.S. Patent Application Publication No. 2002/0101859 to *Maclean* and U.S. Patent Application Publication No. 2002/0036983 to *Widegren et al.* ("*Widegren*"). In order to support a *prima facie* case of obviousness, the applied references, taken alone or in combination, must teach or suggest all the claim elements. (See M.P.E.P. § 2143.)

Claims 4, 7, 12, 13, 16 and 17 depend from independent claims 1, 8 and 14 and, thus, claims 4, 7, 12, 13, 16 and 17, include all the features of their respective independent claim. *Forslow '237* fails to disclose or suggest a "tunnel" as recited in Applicant's claims 1, 8 and 14. (See *supra*.) Accordingly, *Forslow '237* does not disclose or suggest the "tunnel" included in claims 4, 7, 12, 13, 16 and 17. Neither *Forlow '566*, *Maclean* nor *Widegren* cures this deficiency of *Forslow '237*.

The Examiner apparently relies on *Forslow 566* for allegedly disclosing "broadcast messages are used to seek an IP serving GPRS support node" (Office Action, p. 4:16-18); *Maclean* for allegedly disclosing "encrypting a packet in a GPRS system" (*Id.* at p. 5:4-5); and *Widegren* for allegedly disclosing "a packet switching network having versions Ipv4, Ipv6" (*Id.* at p. 5:13-14). However, *Forslow '237*, *Maclean* and *Widegren* do not disclose or suggest a "tunnel," as recited in claims 1, 8 and 14; and the Examiner does not rely these references for such disclosure or suggestion.

Accordingly, *Forslow 237*, *Forslow '566*, *Maclean* and *Widegren*, when taken alone or in any proper combination, fail to support a rejection of claims 1, 8 and 14

under Section 103(a). Thus, claims 4, 7, 12, 13, 16 and 17 are allowable over the cited references.

New Claims

New claims 22 and 23 depend from claim 1 and are allowable over the applied references based on their dependence from claim 1, in addition to the subject matter recited in the claims.

Conclusion

For the reasons set forth above, Applicant respectfully requests allowance of the pending claims.

It is believed that this Amendment is accompanied by the required fees. However, if additional fees are required for any reason, please charge Deposit Account No. 02-4800 the necessary amount.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicant's undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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